**UNITED STATES BANKRUPTCY COURT**
**FOR THE DISTRICT OF MARYLAND**

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| In Re: | : | |
| | : | |
| **ANNICE WALKER** | : | Case No. **16-18339-WIL** |
| | : | Chapter 13 |
| Debtor(s) | : | |
| | : | |

**OBJECTION TO EXEMPTIONS**

Comes now, Nancy Spencer Grigsby, Chapter 13 Trustee, and objects herein to the exemptions claimed by Debtors and for reasons states:

1. This Chapter 13 case was filed on June 20, 2016. The meeting of creditors was held on July 29, 2016 and concluded on August 2, 2016.
2. The Debtor's Amended Schedule C (Dkt. #16), filed on July 26, 2016 cites Md ode Ann., Lab. & Empl. § 9-732 as the authority to exempt a workers compensation award of an unknown value.
3. The Debtor has not provided adequate documentation to support the validity of the claimed exemption and so the Trustee hereby objects to the exemption claimed.
4. In addition, the Debtor's Schedule C (Dkt. #16) cites to "100% of fair market value, up to any applicable statutory limit" as the authority for the proposed exemptions of the potential workers compensation award.
5. Because neither Maryland law nor the Federal Bankruptcy Code recognize "in kind" exemptions of property, exemption claims must be stated in actual dollar amounts. See, E.g., *In re Stoney*, 445 B.R. 543, 2011 WL 577338 at 7 (Bankr. E.D. Va. 2011) (No. 10-74849-SCS) (debtors attempted valuation in percentage

format did not comply with Virginia's statutory requirements); *In re Winchell, slip op,* 2010 WL5338054 (Bankr. E.D. Wash. 2010) (where the court held that the language in *Schwab* is *dicta* and not mandated and therefore the district's practice of requiring exemptions in actual dollar values in the "claimed value column," unless debtors are actually claiming 100% of stated values as exempt, still governs); *In re Salazar, et al,* (Bankr. D.N.Tx. Mar. 2011) (Case No. 10-50360) *slip op*. at 11, 14-15 (nine separate chapter 13 and 7 exemption objections were joined in a single decision where the Bankruptcy Court sustained the Trustees' objections as facially valid where debtors' claimed 100% FMV exemption failed to apprise the trustees or other parties in interest of the definitive amounts being claimed as exempt) – all discussing *Schwab v. Reilly,* 560 U.S. 770, 130 S.Ct. 2652, 2661-64; 2668 (2010).

6. The Debtor must state exemption of property in actual dollar amount versus a percentage valuation.

WHEREFORE, for the foregoing reasons, the Trustee moves that this Honorable Court disallow the above-cited exemptions claimed by the Debtor on Schedule C, (Dkt. #16) and for such other and further relief as to this Honorable Court may deem necessary and proper.

Date: August 16, 2016 Respectfully submitted,

Nancy Spencer Grigsby
Chapter 13 Trustee
/s/ Nancy Spencer Grigsby
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Annapolis, Maryland 21401
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## NOTICE PURSUANT TO LOCAL RULE 4003-1

**PLEASE TAKE NOTICE THAT: (1) any opposition to the Objection must be filed with the Court and served on the Chapter 13 Trustee at the address provided above within twenty-eight (28) days after the date on the Certificate of Service; and (2) the Court may rule upon the Objection and any response thereto without a hearing.**

## POINTS AND AUTHORITIES

U.S. Bankruptcy Code, Section 522 (b)
Maryland Annotated Code, Courts and Judicial Proceedings Article, Section 11-504.
Fed. R. Bankr. Proc. 4003 and Local Rule 4003-1.

## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served electronically to those recipients authorized to receive a Notice of Electronic Filing by the Court, and/or by first class mail, postage prepaid on August 16, 2016 to:

Cc: Annice Walker
704 Maplewood Avenue
Takoma Park, MD 20912
***Debtor(s)***

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***Attorney for Debtor(s)***

/s/Nancy Spencer Grigsby
Nancy Spencer Grigsby